United Nations A/ES-10/262–S/2004/231

General Assembly
Security Council

Distr.: General
22 March 2004

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-ninth year

Identical letters dated 22 March 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Committing yet another war crime, Israel, the occupying Power, assassinated Sheikh Ahmed Yassin in Gaza City. Helicopter gunships fired three missiles at a car carrying the quadriplegic Sheikh as he left a mosque near his home after dawn prayers, killing him instantly along with six other Palestinians. In addition, more than 15 people, including children, were wounded as a result of the attack, several of them critically. In other military attacks today, Israeli occupying forces killed five other Palestinians throughout the Occupied Palestinian Territory, some of whom had been gathered in demonstrations against the assassination.

Israeli Prime Minister Ariel Sharon made a statement after the extrajudicial execution of Sheikh Yassin indicating that he was personally involved, as he oversaw the entire operation, receiving constant updates from Israeli occupying forces. Prime Minister Sharon also stated that the illegal practice of extrajudicial executions would continue.

The Palestinian leadership strongly condemned this criminal and insane act and warned of the serious consequences. We note in this regard the broad and overwhelming condemnation by the international community of this crime in specific and of the ongoing practice of committing extrajudicial executions against the Palestinians in the Occupied Palestinian Territory, including East Jerusalem.

In this regard, we call on the United Nations Security Council to take specific measures to condemn the criminal act and to ensure the cessation by Israel, the occupying Power, of extrajudicial executions and other illegal policies and practices being committed against the Palestinian people.

The present letter is in follow-up to our previous 185 letters addressed to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 17 March 2004 (A/ES-10/261-S/2004/216), constitute a basic record of the crimes committed by the Israeli occupying forces against the

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Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian People, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, I regret to inform you that, since my last letter to you, at least 23 Palestinians, including children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 2,858 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter).

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 22 March 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Thursday, 18 March 2004, to Monday, 22 March 2004)

Thursday, 18 March 2004

Adly Mohammed Abu Taha (from wounds sustained on 17 March 2004)

Friday, 19 March 2004

Ayman Abdel Karim Abu Hashim (from wounds sustained on 17 March 2004)

Saturday, 20 March 2004

1. Fatma Mohammed Al-Jallad (8 years old, from wounds sustained on 19 March 2004)
2. Mohammed Ashtewi Saleh Abu Muhsen (17 years old)

Sunday, 21 March 2004

1. Ibrahim Khalil Al-Hew (from wounds sustained on 2 March 2004)
2. Thonani Alyan Qudeh
3. Bassem Salem Salman Qudeh
4. Sana' Abdel Hady Qudeh
5. Ra'fat Saleh Abu Toema
6. Abdel Rahman Zaki Al-Derbasi

Monday, 22 March 2004

1. Sheikh Ahmed Ismail Yassin
2. Amir Ahmed Abdel Aal
3. Mu'emen Al-Yazouri
4. Rateb Abdel Rahman Al-Aloul
5. Khamis Mushtahi
6. Khalil Abdallah Abu Jyab
7. Ayoub Attallah
8. Osama Al-Afandi
9. Ahmed Khalil Ghabayen

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,858.

10. Riyad Mimr Abu Aya Zu'arab
11. Musa'b Hussein Al-Ghalban (13 years old)
12. Mohammed Rawhi Al-Dosh
13. Mohammed Adel Abdel Rahman Abu Halimeh

United Nations S/2004/232

Security Council

Distr.: General
26 March 2004

Original: English

Draft resolution

The Security Council,

Recalling its resolutions 827 (1993) of 25 May 1993, 955 (1994) of 8 November 1994, 978 (1995) of 27 February 1995, 1165 (1998) of 30 April 1998, 1166 (1998) of 13 May 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, and 1481 (2003) of 19 May 2003,

Recalling and *reaffirming* in the strongest terms the statement of 23 July 2002 made by the President of the Security Council (S/PRST/2002/21) endorsing the ICTY's completion strategy and its resolution 1503 (2003) of 28 August 2003,

Recalling that resolution 1503 (2003) called on the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010 (the Completion Strategies), and requested the Presidents and Prosecutors of the ICTY and ICTR, in their annual reports to the Council, to explain their plans to implement the Completion Strategies,

Welcoming the presentations made by the ICTY and ICTR Presidents and Prosecutors to the Security Council on 9 October 2003,

Commending the important work of both Tribunals in contributing to lasting peace and security and national reconciliation and the progress made since their inception, commending them on their efforts so far to give effect to the Completion Strategies and calling on them to ensure effective and efficient use of their budgets, with accountability,

Reiterating its support for the ICTY and ICTR Prosecutors in their continuing efforts to bring at large indictees before the ICTY and the ICTR,

Noting with concern the problems highlighted in the presentations to the Security Council on 9 October 2003 in securing adequate regional cooperation,

Also noting with concern indications in the presentations made on 9 October, that it might not be possible to implement the Completion Strategies set out in resolution 1503 (2003),

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the ICTY and reiterates its call on all States, especially Serbia and Montenegro, Croatia and

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Bosnia and Herzegovina, and on the Republika Srpska within Bosnia and Herzegovina, to intensify cooperation with and render all necessary assistance to the ICTY, particularly to bring Radovan Karadzic and Ratko Mladic, as well as Ante Gotovina and all other indictees to the ICTY and calls on all at-large indictees of the ICTY to surrender to the ICTY;

2. *Reaffirms* the necessity of trial of persons indicted by the ICTR and reiterates its call on all States, especially Rwanda, Kenya, the Democratic Republic of the Congo and the Republic of the Congo to intensify cooperation with and render all necessary assistance to the ICTR, including on investigations of the Rwandan Patriotic Army and efforts to bring Felicien Kabuga and all other such indictees to the ICTR and calls on all at-large indictees of the ICTR to surrender to the ICTR;

3. *Emphasizes* the importance of fully implementing the Completion Strategies, as set out in paragraph 7 of resolution 1503 (2003), that calls on the ICTY and ICTR to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010, and urges each Tribunal to plan and act accordingly;

4. *Calls on* the ICTY and ICTR Prosecutors to review the case load of the ICTY and ICTR respectively in particular with a view to determining which cases should be proceeded with and which should be transferred to competent national jurisdictions, as well as the measures which will need to be taken to meet the Completion Strategies referred to in resolution 1503 (2003) and urges them to carry out this review as soon as possible and to include a progress report in the assessments to be provided to the Council under paragraph 6 of this resolution;

5. *Calls on* each Tribunal, in reviewing and confirming any new indictments, to ensure that any such indictments concentrate on the most senior leaders suspected of being most responsible for crimes within the jurisdiction of the relevant Tribunal as set out in resolution 1503 (2003);

6. *Requests* each Tribunal to provide to the Council, by 31 May 2004 and every six months thereafter, assessments by its President and Prosecutor, setting out in detail the progress made towards implementation of the Completion Strategy of the Tribunal, explaining what measures have been taken to implement the Completion Strategy and what measures remain to be taken, including the transfer of cases involving intermediate and lower rank accused to competent national jurisdictions; and expresses the intention of the Council to meet with the President and Prosecutor of each Tribunal to discuss these assessments;

7. *Declares* the Council's determination to review the situation, and in the light of the assessments received under the foregoing paragraph to ensure that the time frames set out in the Completion Strategies and endorsed by resolution 1503 (2003) can be met;

8. *Commends* those States which have concluded agreements for the enforcement of sentences of persons convicted by the ICTY or the ICTR or have otherwise accepted such convicted persons to serve their sentences in their respective territories; encourages other States in a position to do so to act likewise; and invites the ICTY and the ICTR to continue and intensify their efforts to conclude further agreements for the enforcement of sentences or to obtain the cooperation of other States in this regard;

9. *Recalls* that the strengthening of competent national judicial systems is crucially important to the rule of law in general and to the implementation of the ICTY and ICTR Completion Strategies in particular;

10. *Welcomes* in particular the efforts of the Office of the High Representative, ICTY, and the donor community to create a war crimes chamber in Sarajevo; encourages all parties to continue efforts to establish the chamber expeditiously; and encourages the donor community to provide sufficient financial support to ensure the success of domestic prosecutions in Bosnia and Herzegovina and in the region;

11. *Decides* to remain actively seized of the matter.

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Security Council

Distr.: General
23 March 2004

Original: English

Letter dated 23 March 2004 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Arab Group for the month of March 2004, I have the honour to refer to the letter dated 22 March 2004 from the Permanent Observer of Palestine to the United Nations to the President of the Security Council regarding the extrajudicial execution by Israel, the occupying Power, of Sheikh Ahmed Yassin today in Gaza City.

Accordingly, and in my capacity as Chairman of the Arab Group, and on behalf of the States members of the League of Arab States, I have the honour to request an immediate meeting of the Security Council to consider the above-mentioned grave Israeli violation of international humanitarian law and the escalation of Israeli military attack against the Palestinian people and their leadership and to take the necessary measures in this regard.

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i. of
the Socialist People's Libyan Arab Jamahiriya
to the United Nations
Chairman of the Arab Group

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United Nations S/2004/234

Security Council

Distr.: General
23 March 2004

Original: English

Letter dated 23 March 2004 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council being held today, Tuesday, 23 March 2004, regarding the situation in the Middle East, including the Palestinian question.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

04-28378 (E) 250304

United Nations A/58/745–S/2004/235

General Assembly
Security Council

Distr.: General
23 March 2004
English
Original: Spanish

General Assembly
Fifty-eighth session
Agenda items 117 and 156

Human rights questions

Measures to eliminate international terrorism

Security Council
Fifty-ninth year

Letter dated 23 March 2004 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I am writing to lodge a formal complaint with the United Nations concerning the presence of the notorious terrorist of Cuban origin, Luis Zúñiga Rey, in the official delegation of the United States to the sixtieth session of the Commission on Human Rights currently meeting in Geneva.

The attitude taken by the Government of the United States is paradoxical at a time when the images of the terrorist attacks in Madrid on 11 March 2004, which cost the lives of more than 200 persons, are fresh in everyone's mind.

It is a real insult and total lack of respect to those legitimately struggling against terrorism for that forum to include, under the guise of diplomat and member of one of its delegations, an individual with a widely recognized criminal record, as stated in the report of the United Nations Special Rapporteur on mercenaries, Mr. Enrique Bernales Ballesteros, submitted to the Commission itself in 1999 (E/CN.4/2000/14).

In the report, the Special Rapporteur refers to Luis Zúñiga Rey, of Cuban origin and living in Miami, as a member of the secret security wing of the so-called Cuban-American National Foundation, a paramilitary group.

According to Mr. Bernales Ballesteros' 1999 report, Zúñiga Rey recruited a Guatemalan citizen, Percy Francisco Alvarado Godoy, to do research in Cuba to identify vulnerable points that could be targets for possible terrorist attacks, such as hotels, thermal electric power plants and oil refineries.

Mr. Zúñiga Rey's attempts were thwarted because Alvarado Godoy turned out to be a Cuban State Security agent.

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The person currently occupying a seat in the delegation of the United States left Cuba illegally in 1973 via the Guantánamo Bay Naval Base, and on arriving in Miami joined a Central Intelligence Agency operation involving a plan for infiltrating into Cuban territory to carry out acts of sabotage and assassination attempts on the lives of the country's leaders.

The plan was frustrated by the Cuban authorities in August 1974. Zúñiga Rey was arrested, in possession of explosives and weapons. He was tried by the competent court and sentenced to 25 years' imprisonment, of which he had served only 14 when he was released in 1988. On his return to the United States he sought out the Cuban-American National Foundation and became directly or indirectly involved in the planting of bombs in Havana hotels and other terrorist actions in Cuban hospitals.

The decision of the Government of the United States to include Luis Zúñiga Rey as a member of its official delegation to the current session of the Commission on Human Rights in Geneva is not only a sign of disrespect for the United Nations; the presence of an individual with such a background jeopardizes the security of that body and all the delegates currently participating in the work of its sixtieth session.

What value does the Commission on Human Rights place on the report submitted in 1999 by the Special Rapporteur on mercenaries, Mr. Enrique Bernales Ballesteros?

Is it possible that, five years after the report was submitted to that body, it is considered a dead letter and a joke by the delegation of a member State that considers itself to be the standard-bearer in global action to combat international terrorism?

Can we remain silent at the presence of an individual with such a criminal and terrorist background in a body whose fundamental objective has until now been the struggle for the full implementation of human rights?

It is Cuba's hope that the Chairperson of the sixtieth session of the Commission on Human Rights will decide on appropriate measures to deal with such an unsuitable delegate, and act accordingly. To accept Zúñiga Rey's presence as normal would amount to glorifying terrorism instead of combating it and would send an erroneous message, one of complicity and of impunity for convicted perpetrators of terrorist acts.

The delegation of Cuba is prepared to provide more details about this known terrorist and his previous activities.

In view of the need to condemn this repugnant development in an appropriate manner and alert member States to this treachery, I should be grateful if you would arrange for this letter to be distributed as a document of the General Assembly and of the Security Council.

(*Signed*) Orlando **Requeijo Gual**
Ambassador
Permanent Representative

United Nations S/2004/236

Security Council

Distr.: General
23 March 2004
English
Original: French

Letter dated 23 March 2004 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

In accordance with article 39 of the rules of procedure of the Security Council, I have the honour to request you to authorize Mr. Yahja A. Mahmassani, Ambassador and Permanent Observer for the League of Arab States to the United Nations, to address the Security Council during the public debate devoted to the situation in the Middle East, including the question of Palestine, scheduled for 23 March 2004.

(*Signed*) Abdallah **Baali**
Ambassador
Permanent Representative

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United Nations S/2004/237

Security Council

Distr.: General
23 March 2004

Original: English

Letter dated 22 March 2004 from the Chargé d'affaires a.i. of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Russian Federation concerning the recent developments in Kosovo , Serbia and Montenegro (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Gennady M. **Gatilov**
Chargé d'affaires a.i.

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Annex to the letter dated 22 March 2004 from the Chargé d'affaires a.i. of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Statement by the Ministry of Foreign Affairs of the Russian Federation

20 March 2004

The leadership of the Russian Federation is deeply concerned over the developments in the situation in Kosovo, Serbia and Montenegro. Provoked by extremists, the sharp flare-up of violence in this province has laid bare the policy deliberately being pursued by them of ethnic cleansing of the non-Albanian population of Kosovo, in the first place Kosovo Serbs.

Russia has repeatedly drawn attention to the danger of such a development. However the alarming tendencies that have been growing in the last few years have not received an adequate response from the international presences in the province — the United Nations Mission in Kosovo and the NATO-led forces for Kosovo. Today it has become definitively clear that the attempts at indulging the extremists from among the Kosovo Albanians have failed and created serious risks of destabilization of the entire region.

New refugees are joining the tens of thousands of members of non-Albanian population of Kosovo earlier driven from this province and living in conditions that do not conform to elementary standards. The hundreds of thousands of Serbs who were forced to leave other Balkan countries during the disintegration of the former Yugoslavia are also practically forgotten. These flagrant violations of human rights and fundamental freedoms occurred and are occurring in plain view of "civilized Europe".

The Serbs remaining in Kosovo are seeking protection behind the walls of the churches and monasteries not yet destroyed in the province, but there too they do not feel protected from extremists bent on new outrages.

Under these conditions a simple numerical increase in NATO troops within the forces for Kosovo is not enough. These forces are duty-bound to take the toughest action to suppress the hotbeds of violence, protect the civilian population reliably and together with the United Nations Mission in Kosovo make the Kosovo Albanian leaders fulfil undeviatingly the demands of the United Nations Security Council regarding the principles for a Kosovo settlement. Until such action is taken, until the extremists are curbed, it is pointless to talk about the determination of the political status of Kosovo.

The tragic events in Kosovo directly influence the situation in all of Serbia and Montenegro as well. The large numbers within its territory of people torn away from their homes, and the big protest demonstrations in major cities, are seriously destabilizing the social and political situation, and distracting attention and resources from the solution of the immediate problems facing that country. Particular responsibility lies with the European Union, which took a direct part in

the elaboration of the principles on which the State of Serbia and Montenegro was established.

The Security Council must also have its say and insist on the implementation of its resolutions. Streamlined formulas are no longer suitable for that. It is necessary to call things by their correct names.

Russia, rendering at this stage additional help to the civilian population driven out of Kosovo, is ready for the closest active cooperation with its partners in the Contact Group and the Security Council and with the European Union in the interests of speedily ending the tragedy in the Balkans and placing the situation on the lines specified in the United Nations decisions.

We expect our partners in the Western capitals involved in the Kosovo settlement to draw serious conclusions from what has happened and to focus attention on a just solution of this key problem for Europe, avoiding double standards in the assessment of the state of affairs in different regions of our continent.

United Nations S/2004/238

Security Council

Distr.: General
26 March 2004

Original: English

Draft resolution

The Security Council,

Reaffirming its resolution 1373 (2001) of 28 September 2001, adopted under Chapter VII of the Charter of the United Nations, and the Ministerial Declarations annexed respectively to resolution 1377 (2001) of 12 November 2001 and to resolution 1456 (2003) of 20 January 2003, as well as its other resolutions concerning threats to international peace and security caused by terrorism,

Reaffirming further that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Reaffirming its reinforced determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law,

Reaffirming its call upon States to become a party, as a matter of urgency, to all relevant international conventions and protocols relating to terrorism, and to support all international initiatives taken to that aim, and to make full use of the sources of assistance and guidance which are now available,

Commending Member States for their cooperation with the Counter-Terrorism Committee and calling upon all of them to continue to cooperate fully with the Committee,

Commending the progress made so far by the Counter-Terrorism Committee established by the Security Council under paragraph 6 of resolution 1373 (2001) acting under Chapter VII of the Charter in discharging its important responsibility to monitor the implementation of that resolution,

Stressing the important role that international, regional and subregional organizations play in the fight against terrorism, *urging* them to intensify their assistance to Member States with respect to the implementation of resolution 1373 (2001), and commending the Committee's coordination of counter-terrorism efforts with such organizations,

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Recognizing that many States continue to require assistance in implementing resolution 1373 (2001), and *urging* States and organizations to inform the Committee of areas in which they are able to offer assistance,

Recognizing also the need for the Committee, where appropriate, to visit States, with the consent of the State concerned, and to engage in a detailed discussion to monitor the implementation of resolution 1373 (2001),

Recognizing that such visits should be conducted, when appropriate, in close cooperation with relevant international, regional and subregional organizations and other United Nations bodies, including the United Nations Office on Drugs and Crime, in particular with its Terrorism Prevention Branch, taking special care of the assistance that might be available to address States' needs,

Stressing the importance of enhancing the monitoring of the implementation of resolution 1373 (2001),

Having considered the report of the Chairman of the Committee (S/2004/70) on the problems encountered both by Member States and the Committee itself in the implementation of resolution 1373 (2001),

Stressing the importance of addressing these difficulties so as to enable the Committee to monitor effectively the implementation of resolution 1373 (2001) and to enhance the capacity-building work in which it is engaged,

Bearing in mind the special nature of resolution 1373 (2001), the continuing threats to peace and security caused by terrorism, the important role the United Nations and the Security Council must continue to play in the global fight against terrorism, the need to reinforce the Committee as the Security Council subsidiary body responsible in this area, and without setting a precedent for other bodies of the Security Council,

1. *Endorses* the report of the Committee on its revitalization (S/2004/124);

2. *Decides* that the revitalized Committee will consist of the Plenary — composed of the Security Council member States — and the Bureau, the latter composed of the Chair and the Vice-Chairs, assisted by the Counter-Terrorism Committee Executive Directorate (hereinafter "CTED") to be established as a special political mission, under the policy guidance of the Plenary, for an initial period ending 31 December 2007 and subject to a comprehensive review by the Security Council by 31 December 2005, so as to enhance the Committee's ability to monitor the implementation of resolution 1373 (2001) and effectively continue the capacity-building work in which it is engaged;

3. *Decides further* that the CTED, headed by an Executive Director, will be responsible for the tasks stated in the report of the Committee (S/2004/124) and *requests* the Secretary-General, within 45 days of the adoption of this resolution, to appoint, after consultation with and subject to the approval of the Council, an Executive Director of the CTED who will take up office as soon as possible;

4. *Requests* the Executive Director of the CTED, within 30 days of taking office, in consultation with and through the Secretary-General, to submit to the Plenary, for its endorsement, an organizational plan for the CTED, consistent with the Committee's report (S/2004/124) and United Nations rules and regulations, including its structure, staffing requirements, budget needs, management guidelines,

recruitment procedures, recognizing in particular the need for an effective, cooperative management structure for the new body, and staffing with suitably qualified and experienced personnel, who would be international civil servants subject to Article 100 of the Charter, securing the highest standards of efficiency, competence and integrity and paying due regard to the importance of recruiting the staff on as wide a geographical basis as possible;

5. *Requests* the Chairman of the Committee to present such an organizational plan to the Security Council for its endorsement, and further *requests* the Secretary-General to take the appropriate steps to implement it on an expedited basis, including, at the appropriate time, seeking the General Assembly's approval;

6. *Decides* that the Committee will continue to report to the Council on a regular basis;

7. *Stresses* the importance of ensuring that the Committee continues to operate effectively during the consolidation of the Committee's support structure into the CTED, and in this regard, *decides* that the Committee will continue to operate with its present support structure until the Committee, in consultation with the Secretary-General, determines that the CTED is operational;

8. *Decides* to remain actively seized of the matter.

United Nations S/2004/239

Security Council

Distr.: General
24 March 2004

Original: English

Letter dated 23 March 2004 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a progress report we have produced, as contributors to the Multinational Interim Force (MIF) in Haiti (see annex). I am submitting this report on behalf of the troop contributors to MIF, Canada, Chile, France and the United States of America, pursuant to paragraph 9 of Security Council resolution 1529 (2004).

I would be very grateful if you could circulate it as a document of the Security Council.

(*Signed*) John D. **Negroponte**
Ambassador
Permanent Representative of the United States of America
to the United Nations

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Annex to the letter dated 23 March 2004 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

Status report of the Multinational Interim Force in Haiti

The Multinational Interim Force takes its mandate from paragraph 2 of Security Council resolution 1529 (2004). What follows is a progress report, in accordance with paragraph 9 of the resolution.

2. *Authorizes the immediate deployment of a Multinational Interim Force for a period of not more than three months from adoption of this resolution*

The initial deployment of several hundred troops has grown quickly. As of 22 March, contributions to the MIF on the ground were as follows (all figures are approximate):

United States	1 800 military
France	800 military including 80 gendarmes in Port-au-Prince
Canada	460 military
Chile	340 military
Total (approx.)	**3 400**
Maximum (estimate)	3 500

2. (a) *To contribute to a secure and stable environment in the Haitian capital and elsewhere in the country, as appropriate and as circumstances permit, in order to support Haitian President Alexandre's request for international assistance to support the constitutional political process under way in Haiti*

Overview: Beginning on 29 February, contributors to the Multinational Interim Force (MIF) began to arrive in Haiti in order to help stabilize the security and political environment. Within a matter of days, some of the armed gangs that roamed Port-au-Prince began to withdraw. Organized and ad hoc looting, especially of humanitarian supplies, was significantly reduced. Main airports and seaports were operational again by 11 March, and a possible humanitarian crisis may have been averted. In addition to overt presence patrols, the MIF has secured and will continue to safeguard the main government buildings to provide a secure environment for the Interim Haitian Government. By mid-March we observed the return of children to schools and the opening of shops, markets, banks and other community services.

Areas of operation: The arrival of MIF forces contributed to a "return to normalcy" in Port-au-Prince within two weeks of arrival, and limited expansion to other areas became possible. As of 22 March, France had undertaken stabilization efforts in northern Haiti, deploying troops to the rebel stronghold cities of Gonaives and Cap-Haitien, and beginning to establish roving patrols to provide a visible presence in the north. In Port-au-Prince, Canada, Chile, and the United States forces patrol respective sectors. Helicopter assets from MIF contributors are providing aerial lift and operations in support of the force mandate. The United States has also begun to deploy small roving patrols to key sites in central and southern Haiti. The

number of troops available to the MIF is not sufficient to guard large numbers of static sites, such as hospitals, warehouses and other sites.

Disarmament: The MIF is assisting the police in "practical disarmament", which is to say that MIF forces on patrol jointly with Haitian National Police will exploit opportunities to detain illegally armed persons and to confiscate arms for transfer to local authorities, but lacks the capacity to undertake a structured national disarmament programme. Some disarmament, however, will be achieved. The MIF is working to develop additional intelligence on arms caches and will act on that information as it becomes available. Recently, for example, a cache of 60 arms was surrendered to the police in Cité Soleil in a public ceremony supported by local residents.

(b) To facilitate the provision of humanitarian assistance and the access of international humanitarian workers to the Haitian people in need

Overview: Coordination between humanitarian personnel and the Multinational Interim Forces continues to improve. Special civil-military operation teams have been assigned to work with humanitarian organizations to improve the coordination of assistance. The approach of the MIF is to secure strategic points to facilitate humanitarian access. The principal airports and seaports are now fully functional, and overland delivery of goods is now possible to much of Haiti during daylight hours. The MIF has only a limited ability to provide a static presence at certain key sites, for example, in response to a request from the ICRC, it provided protection to Hospital Canapé Vert in Port-au-Prince to permit it to resume the provision of medical care. The MIF will continue to work closely with humanitarian agencies to facilitate the provision of international humanitarian assistance and access by international humanitarian workers.

(c) To facilitate the provision of international assistance to the Haitian police and the Haitian Coast Guard in order to establish and maintain public safety and law and order and to promote and protect human rights

Overview: In Port-au-Prince the Multinational Interim Forces have begun to work with the Haitian National Police and Coast Guard in support of patrols to maintain law and order. With MIF support, the HNP has begun to re-establish a presence in areas that were previously controlled by armed gangs. We note however, that the MIF does not itself have an executive policing mandate. With MIF assistance, the Haitian Coast Guard is once again patrolling Haitian waters.

Haitian National Police: The Haitian National Police faces serious challenges in re-establishing its authority throughout the country. The HNP suffers from a lack of police officers and vital equipment, which is compounded by political divisions and mistrust among the forces that remain. The new Director General of the Haitian National Police, Leon Charles, has consulted with the MIF, and has asked MIF contributor nations for help in finding new officers, procuring vehicles and fuel, and in vetting existing police units in order to remove human rights abusers. Rebuilding a credible national police force, backed by effective judicial authorities, is perhaps the most important task confronting Haiti in the wake of President Aristide's departure. The MIF will be working closely with the United Nations and OAS to establish the conditions for the deployment of a follow-on United Nations force and to facilitate international efforts to assist the HNP.

Haitian Coast Guard: The US Coast Guard is assisting the Haitian Coast Guard with logistics, vessel maintenance and supplies. The MIF is helping to provide security at Killick Coast Guard base in Port-au-Prince. The MIF is also attempting to facilitate retroactive salary payments to Haitian Coast Guard personnel. With MIF support the Haitian Coast Guard has recommenced operations, including harbour patrols.

(d) To support establishment of conditions for international and regional organizations, including the United Nations and the Organization of American States, to assist the Haitian people

Overview: Thanks to the rapid deployment of the Multinational Interim Force, the staff of international and regional organizations, including the OAS and the United Nations, have now been able to return to work in situ and assistance projects have resumed.

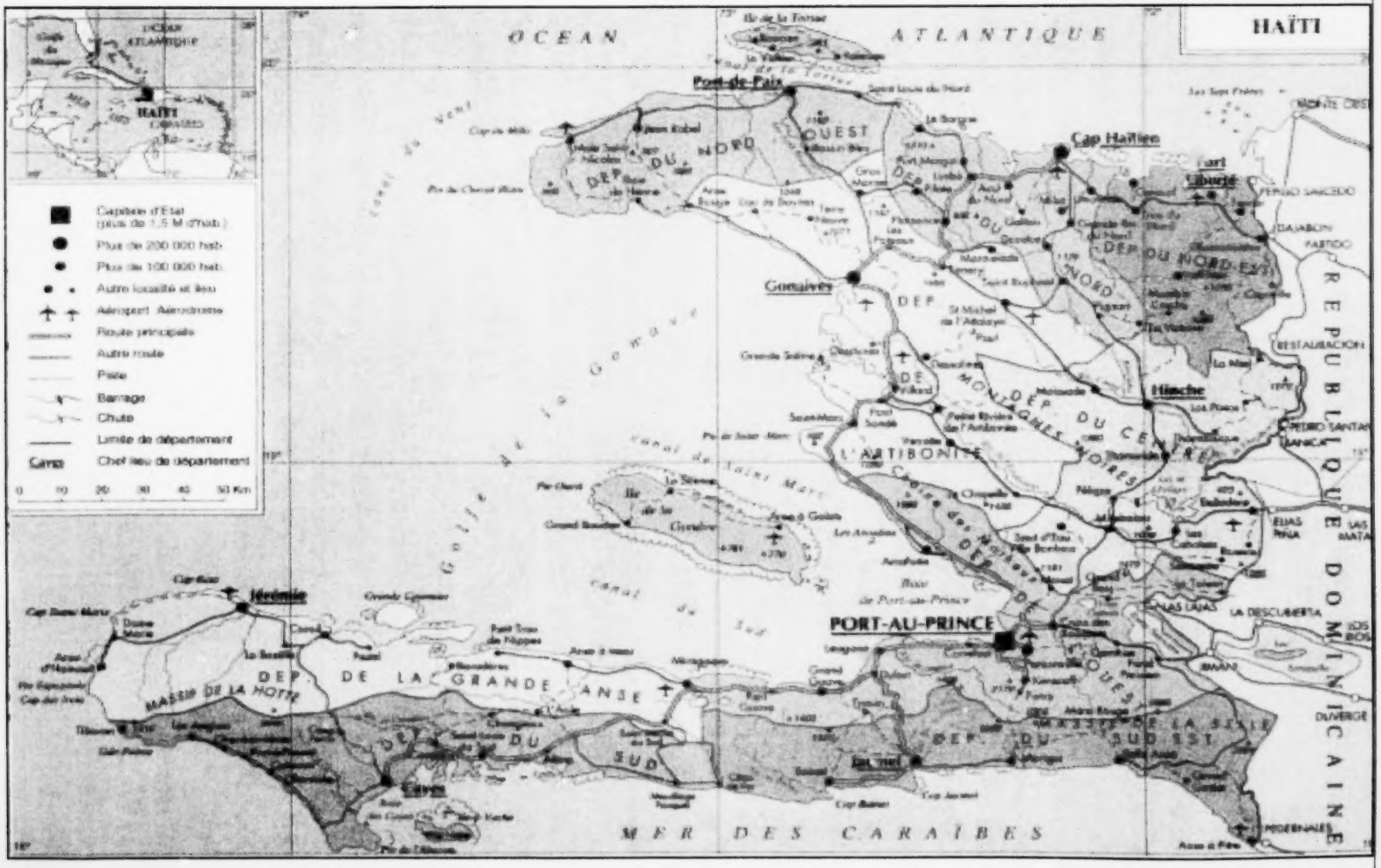
(e) To coordinate, as needed, with the OAS Special Mission and with the United Nations Special Adviser for Haiti, to prevent further deterioration of the humanitarian situation

Overview: The Multinational Interim Force commander has met with United Nations Special Adviser Dumas and with OAS representatives in order to exchange views on the situation in Haiti and the best means of responding to humanitarian objectives. MIF contributors believe that coordination of international and regional organizations is crucial to improve the humanitarian situation and to maximize the effectiveness of international assistance. This vital work will continue.

Concluding remarks

The MIF mandate will conclude on 1 June. Some MIF forces may convert to blue-hatted United Nations forces at that time. Planning will begin to prepare the relief in place of MIF forces. The transition from the MIF to a United Nations stabilization force will therefore require detailed coordination. The MIF is already working with the United Nations assessment team in Haiti and will continue close cooperation. The MIF contributors recommend that a United Nations transition team be deployed to Haiti as early as mid-April.

The MIF contributors hope that the international community will continue to work with the people of Haiti in order to achieve long-term political, social and economic development. Efforts of the regional organizations in coordination with the United Nations will be essential in this regard.


HAÏTI
OCEAN ATLANTIQUE
MER DES CARAÏBES
Port-de-Paix
Cap-Haïtien
Gonaïves
Hinche
PORT-AU-PRINCE
Jérémie
Les Cayes
Capitale d'Etat (plus de 1,5 M d'hab.)
Plus de 200 000 hab.
Plus de 100 000 hab.
Autre localité et lieu
Aéroport Aérodrome
Route principale
Autre route
Piste
Barrage
Chute
Limite de département
Chef lieu de département
DEP. DU NORD
DEP. DU NORD-OUEST
DEP. DU NORD-EST
DEP. DE L'ARTIBONITE
DEP. DU CENTRE
DEP. DE L'OUEST
DEP. DE LA GRANDE ANSE
DEP. DU SUD
DEP. DU SUD EST
MASSIF DE LA HOTTE
MASSIF DE LA SELLE
Canal de Tortue
Canal de Saint Marc
Canal du Sud
Golfe de la Gonâve
RESTAURACION
PEDRO SANTANA
REPUBLIQUE DOMINICAINE

United Nations S/2004/240

Security Council

Distr.: General
24 March 2004

Original: English

Algeria and Libyan Arab Jamahiriya: draft resolution

The Security Council,

Recalling its resolutions 242 (1967), 338 (1973), 1397 (2002), 1435 (2002), 1515 (2003),

Expressing its grave concern at the continued deterioration of the situation on the ground in the Occupied Palestinian Territory, including East Jerusalem, as a result of the escalation of violence and attacks,

1. *Condemns* the most recent extrajudicial execution committed by Israel, the occupying Power, that killed Sheikh Ahmed Yassin along with six other Palestinians outside a mosque in Gaza City and calls for a complete cessation of extrajudicial executions;

2. *Condemns also* all terrorist attacks against any civilians as well as all acts of violence and destruction;

3. *Calls* on all sides to immediately undertake an unconditional cessation of acts of violence, including all acts of terrorism, provocation, incitement and destruction;

4. *Calls* for the cessation of all illegal measures and practices and for respect for and adherence to international humanitarian law;

5. *Calls* on both parties to fulfil their obligations under the road map endorsed by Security Council resolution 1515 (2003) and to work with the Quartet to implement it in order to achieve the vision of the two States living side by side in peace and security;

6. *Decides* to remain seized of the matter.

04-28608 (E) 260304

United Nations S/2004/241

Security Council

Distr.: General
25 March 2004
English
Original: French

Letter dated 24 March 2004 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

I have the honour to enclose herewith the text of the message addressed to the nation on 23 March 2004 by President Laurent Gbagbo, concerning the current socio-political situation (see annex).

I should be grateful if you could arrange to have the text of this letter and its annex published as a Security Council document.

(*Signed*) Philippe **Djangone-Bi**
Ambassador
Permanent Representative

04-28473 (E) 260304 260304

Annex to the letter dated 24 March 2004 from the Permanent Representative of Côte d'Ivoire to the United Nations addressed to the President of the Security Council

Message from the President of the Republic concerning the socio-political situation

23 March 2004

For the past three weeks the political climate in Côte d'Ivoire has been giving rise to legitimate feelings of concern on the part of the Ivorian people and international public opinion alike. On Wednesday, 3 March 2004, we learned through the press that the ministers of the Parti democratique de Côte d'Ivoire (PDCI) were suspending their participation in the activities of the Coalition Government, Government Council and Council of Ministers.

We subsequently learned that the suspension had been motivated by the fact that the PDCI had demanded to assume the direction of the Abidjan Port Authority and had not been able to. Other parties and movements which had signed the Linas-Marcoussis and Accra II Agreements supported the PDCI.

One week later, on 17 March, immediately after the Government prohibited street demonstrations by means of a decree issued by the Council of Ministers on 11 March 2004, those same parties and movements decided to hold a march, followed by a meeting on the Place de la Republique on Thursday, 25 March.

Yet it was only yesterday, Monday, 22 March at 6.45 p.m., following a meeting they asked for the evening before, on 21 March, that those parties and movements handed me a "Memorandum of Political Signatories of the Linas-Marcoussis and Accra II Agreements".

The authors of that document, after taking stock of the laws and regulations adopted, refer to malfunctionings in the activities of the Government of National Reconciliation.

I therefore received the memorandum yesterday and a meeting was scheduled for Monday, 29 March, for the purpose of examining the various issues raised.

I would like to point out that the decision to hold a demonstration was taken before the initiators' grievances were even brought to the attention of the Head of State. Such an attitude is indicative of a clear will to defy the authority of the State.

This attitude is all the more surprising since I made a personal effort to speed up the adoption of draft laws by the Government in implementation of the Linas-Marcoussis Agreement and, in a letter dated 19 February 2004, convened an extraordinary session of the National Assembly for the purpose of consideration.

The following are the laws deriving from the Linas-Marcoussis Agreement which have been adopted by the Government and transmitted to the National Assembly to date:

Draft law authorizing the President of the Republic to ratify the additional protocol amending and supplementing the provisions of article 7 of the protocol on free movement of persons, right of residence and of establishment, signed at Ouagadougou on 30 June 1989, transmitted to the National Assembly on 11 December 2003.

Draft law authorizing the President of the Republic to ratify the additional protocol relating to the implementation of the third stage (right of establishment) of the protocol on free movement of persons, right of residence and of establishment, signed at Banjul on 29 May 1990, transmitted to the National Assembly on 11 December 2003.

Draft law relating to the declaration of income, assets and liabilities of the President of the Republic, transmitted to the National Assembly on 19 February 2004.

Draft law amending articles 35 and 55 of the Constitution, adopted by the Council of Ministers pending a special constitutional procedure.

Draft law amending and supplementing Act No. 61-415 of 14 December 1961 establishing the Ivorian nationality code, as amended by Act No. 72-852 of 21 December 1972. I have decided to submit this draft to a referendum.

Draft law concerning the amendment of article 26 of Act No. 98-750 of 23 December 1998 relating to rural land, transmitted to the National Assembly on 8 March 2004.

Draft law establishing the National Human Rights Commission, transmitted to the National Assembly on 19 February 2004.

Draft law amending Act No. 2002-03 of 3 January 2002 relating to the identification of persons and residence of aliens in Côte d'Ivoire and abrogating Act No. 98-448 of 4 August 1998, transmitted to the National Assembly on 19 February 2004.

Draft law amending Act No. 2001-634 of 9 October 2001 establishing the composition, organization, powers and functions of the Independent Electoral Commission, transmitted to the National Assembly on 19 February 2004.

Hence the Linas-Marcoussis process is well under way and progressing. And it is because we are making progress that the United Nations decided to send Blue Helmets to help us implement the disarmament, demobilization and reintegration programme and prepare for the 2005 elections.

We therefore have an historic opportunity to resolve the crisis. The international community is extending its hand to help us resolve the crisis. We do not have the right to disappoint it. We do not have the right to refuse its hand.

Neither do we have the right to prolong the suffering of our country, which is an important country not just for Ivorians but for West Africa as a whole.

We do not have the right to create despair when we have everything we need to create hope.

This is why I am calling on everyone to show self-control and place the nation foremost. Now that grievances have been expressed and talks scheduled, I call on everyone to be reasonable, and especially, to abandon actions whose consequences might seriously jeopardize the gains we have made in the peace process.

Laurent **Gbagbo**
President of the Republic

United Nations S/2004/242

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the assassination of Sheikh Ahmed Yassin, issued on 22 March 2004 by the General Affairs and External Relations Council of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-29296 (E) 010404

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the assassination of Sheikh Ahmed Yassin issued on 22 March 2004 by the General Affairs and External Relations Council of the European Union

The General Affairs and External Relations Council meeting today under President Mr. Brian Cowen T.D. Irish Foreign Minister have agreed the following on the assassination of Sheikh Ahmed Yassin:

The Council condemned the extrajudicial killing of Hamas leader Sheikh Ahmed Yassin and seven other Palestinians by Israeli forces this morning. The European Union has consistently opposed extrajudicial killings. Not only are extrajudicial killings contrary to international law, they undermine the concept of the rule of law which is a key element in the fight against terrorism.

The European Union has repeatedly condemned the terrorist atrocities committed by Hamas which have resulted in the deaths of hundreds of Israelis. The European Union recognizes Israel's right to protect its citizens against terrorist attacks. Israel is entitled to do this under international law. Israel is not, however, entitled to carry out extrajudicial killings. Furthermore, the assassination which has just been carried out has inflamed the situation. The Council called on all sides to exercise restraint and to refrain form acts of violence, which will only lead to more deaths and will put a peaceful settlement still further from reach.

Violence is no substitute for the political negotiations which are necessary for a just and lasting settlement. The Quartet road map remains the basis for reaching such a settlement.

United Nations S/2004/243

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the Democratic Republic of the Congo issued on 18 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28406 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the Democratic Republic of the Congo issued on 18 March 2004 by the Presidency on behalf of the European Union

1. The European Union continues to be firmly committed to peace and stability in the Democratic Republic of the Congo and in the entire Great Lakes region in general. It commends the efforts made hitherto by the transition authorities to this end. It calls on the Congolese authorities to ensure that their actions keep within the letter and the spirit of the resolutions adopted by the inter-Congolese dialogue, the Global and All-Inclusive Agreement and the Transitional Constitution and to speed up the decision-taking process and the necessary reforms with a view to stabilizing the country as soon as possible. It urges those who have not yet embraced this rationale to forswear disorder and violence and unite in a common aim of peace and stability for the benefit of all citizens of the Democratic Republic of the Congo.

2. For this reason the European Union is concerned by the delays in implementation of the transition programmes and by the political tensions and obstacles observed of late. It urges the components and groupings of the institutions to reaffirm their unwavering adherence to the principles of the transition. It also calls for effective implementation of the division of responsibilities laid down in the Pretoria Agreement and by the Transitional Constitution in a spirit of mutual cooperation. In particular, it stresses the importance of ensuring that there is a climate of calm and peacefulness for the population in this pre-electoral period.

3. The European Union considers that practical steps must be taken to restore the climate of confidence and good relations both within the transition institutions and within the presidential milieu. In view of the timetable laid down by the Transitional Constitution, the European Union reiterates the urgent need to adopt a basic law on the powers and the operation of the Independent Electoral Commission so that it can operate and be independent in keeping with the commitments entered into at Sun City; the necessity of setting up a conciliation committee on the various aspects of the electoral process; and the obligation to fulfil as soon as possible certain preconditions for the various operations to be carried out within the electoral process, such as the nationality law and the legal framework for electoral registration.

4. In these circumstances, the European Union calls for the urgent application of the necessary measures to restore the governing powers of the State and its authority over the whole territory of the Democratic Republic of the Congo. Priorities here include the establishment of a national administration, reconstruction, economic recovery and transparent management of State finances in a manner appropriate to the needs and aims of the transition.

5. It also calls for faster reform of the security sector, in the areas of reform of the justice system and the police as well as the integration of all levels of the army, in parallel with the implementation of the national disarmament, demobilization and reintegration process. Appointment of the national disarmament, demobilization and

reintegration coordinator and budgetary and logistic planning of the integrated units to be deployed are indispensable in this context.

6. The European Union is very concerned by the renewed increase in security and political tension in the east of the Democratic Republic of the Congo. It is especially shocked by the continuing violations of human rights and the atrocities inflicted on the civilian population in Ituri, in the Kivu provinces and in Katanga, in particular the rape carried out systematically and with impunity by the increasing number of armed bands originating in the militias operating in Ituri, in the Kivu provinces and in Katanga.

7. It urges the transition institutions to take every possible measure to re-establish State authority over the whole country; it calls upon all protagonists on the ground to show consideration for the population and commit themselves irrevocably to the transition. With reference to the recent incidents in Bukavu and Kinshasa, the European Union calls on all sides to refrain from making any statements that could ignite ethnic tensions.

8. The European Union reiterates its support for the regional conference on peace, security, democracy and development in the Great Lakes region and calls on the Congo authorities to play a full part in it. The Union also attaches considerable importance to the restoration of confidence and to normalization of bilateral relations between States in that region. In that regard, it calls on all political leaders in the Democratic Republic of the Congo, Rwanda and Uganda to work constructively for the restoration of peace and stability in the Great Lakes region.

9. Lastly, the European Union wishes to express its full support for the activities of MONUC and for the work of the International Committee in Support of the Transition.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/244

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the presidential elections in the Russian Federation, issued on 17 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28413 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the presidential elections in the Russian Federation issued on 17 March 2004 by the Presidency on behalf of the European Union

The European Union congratulates President Putin on winning a second term as President of the Russian Federation. The European Union welcomes the well organized and orderly presidential elections in Russia on 14 March. This result, based on a high turnout of 61 per cent, gives President Putin a strong mandate for his second term.

The European Union welcomes the positive findings of the International Election Observation Mission (IEOM) in its preliminary report of 15 March 2004. The report notes that there was a "genuine wish to enfranchise as many people as possible" and that the election was well administered. The report goes on to note that the legal framework established by the Russian authorities "promoted openness and transparency both in the conduct and organization of the election".

However, the European Union is concerned by the finding that "the State-controlled media displayed clear bias in favour of the incumbent" and that the authorities failed to attempt to rectify this situation during the campaign. Open debate in the media, in which all points of view can be heard, is an essential feature of pluralist democracy. The European Union calls on Russia to take steps to ensure that future elections meet more fully Council of Europe and OSCE standards, including free media.

The European Union looks forward to a strengthening of EU-Russia relations based on a sustained commitment to pluralism and democratization and the standards of the Council of Europe and OSCE. The European Union therefore encourages the political authorities in Russia to draw the appropriate conclusions from the shortcomings identified by the IEOM report. In this regard, the European Union welcomes President Putin's commitment to continue to build up and strengthen a multiparty system in the country, to develop civil society, and to make every effort to ensure freedom of the press.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, and the EFTA countries Iceland and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/245

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the situation concerning the Georgian Autonomous Republic of Adjara issued on 17 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28484 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the situation concerning the Georgian Autonomous Republic of Adjara issued on 17 March 2004 by the Presidency on behalf of the European Union

The European Union is closely monitoring the situation in Georgia, particularly concerning the Georgian Autonomous Republic of Adjara.

The European Union reaffirms its attachment to the sovereignty and territorial integrity of Georgia. The European Union calls on all sides to refrain from any further escalation which could result in violence. It urges both the central government in Tbilisi and the authorities in Batumi to re-establish dialogue at the highest level with a view to finding a peaceful solution acceptable to all and in the interest of Georgia. The European Union is ready to contribute to such a settlement together with the other international organizations and key players in the region.

The EU Special Representative for the South Caucasus, Ambassador Heikki Talvitie, flew to Tbilisi yesterday, Tuesday 16 March 2004. He had meetings there to discuss the situation with President Saakashvili, as well as with the Adjaran representative in Tbilisi. Today he flew to Poti where he has met with Prime Minister Zhvania and other officials. The EU Special Representative is keeping the Council fully informed of latest developments.

The European Union supports and values today's visit to Batumi of Mrs. Nino Burjanadze, Speaker of the Georgian Parliament. This should pave the way for a visit of President Saakashvili to Batumi as soon as possible. Such a visit by President Saakashvili should in turn serve to create conditions for holding free and fair parliamentary elections in Adjara, as in the rest of Georgia, on 28 March.

The European Union urges the authorities of the Georgian Autonomous Republic of Adjara to respect human rights, democratic principles and the rule of law, and to allow for orderly preparations for free and fair parliamentary elections.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia align themselves with this statement.

United Nations S/2004/246

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on media freedom and democratic standards in Ukraine issued on 18 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28496 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on media freedom and democratic standards in Ukraine issued on 18 March 2004 by the Presidency on behalf of the European Union

The European Union has noted with great dismay several recent events which have sent a negative signal in relation to democratic standards in the run-up to presidential elections in Ukraine on 31 October.

The European Union regrets that several events or measures have affected the independent media at a time when, in the run-up to the elections in October, information from a variety of sources and media independence and diversity have never been more important to the Ukrainian people as they make their democratic choice. Any reduction in the space of the independent media, regardless of the grounds given in justification of specific instances, damages the international credibility of Ukraine and its engagement to ensure free and fair elections.

Recent events include the decision by Dovira Radio to cancel its contract with Radio Liberty; problems encountered by the fifth channel with respect to its licence; and the closure of Radio Kontinent on 3 March.

The Union has also noted with concern the credible reports of a significant increase in administrative harassment by the State Tax Administration in a selective way against independent journalists and against companies which belong or are presumed to belong to opposition supporters. The selective way in which fiscal inquiries and investigations have been conducted raises the question of their underlying motivation.

Freedom of the media and impartiality of State administration are essential requirements for free and fair elections. A strong EU-Ukraine relationship depends on concrete actions by the administration to uphold and promote European values and standards, to which free and fair elections are central. Rule of law, independence of justice, freedom of the media and the protection of journalists are benchmarks of the administration's good faith in this regard.

Furthermore, the Union notes with dismay reports by a number of observers that the by-election held in constituency No. 61 (Donetsk region) on 7 March was marred by irregularities committed both during the electoral campaign and on polling day. The European Union considers that this represents a further unfortunate signal prior to the presidential elections in October and calls on the Ukrainian authorities to take the necessary measures to ensure that the presidential election will be carried out in a fully democratic manner.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria and Romania, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/247

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement concerning the formation of a new government in Haiti issued by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28502 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement concerning the formation of a new government in Haiti issued on 19 March 2004 by the Presidency on behalf of the European Union

The European Union welcomes the formation of a new government in Haiti. This now gives reason to hope for substantial progress in establishing democracy and the rule of law, so that the country can break out of the political deadlock experienced in recent years and regain the stability for which it yearns.

The European Union stands ready to support the new government and assist in establishing the rule of law in the country. Being concerned at the serious deterioration in social and economic conditions in Haiti, the European Union is prepared to help relieve the Haitian people's suffering by means of prompt humanitarian aid in keeping with the circumstances.

The European Union welcomes Prime Minister Gérard Latortue's statement concerning the importance of national reconciliation and his willingness to administer a government of national unity. The European Union holds reconciliation and cooperation among all Haitians to be prerequisites for the sustainable development of Haiti and for an improvement in the standard of living of all its citizens.

The European Union is pleased at the unanimous decision of the United Nations Security Council to dispatch a Multinational Interim Force. It welcomes all international efforts to bring security and stability to the country.

The European Union is disturbed at the persistent deterioration in security in Haiti and calls on all Haitians, without exception, to refrain from any kind of violent behaviour.

The European Union pays tribute to the considerable efforts made by OAS and CARICOM to help bring peace and stability to Haiti. It hopes to see those efforts continue, in close coordination with the new government of Haiti, the United Nations and the Multinational Interim Force.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria, Romania and Turkey, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/248

Security Council

Distr.: General
25 March 2004

Original: English

Letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the agreement on a transitional Administrative Law in Iraq, issued on 19 March 2004 by the Presidency on behalf of the European Union (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Richard **Ryan**
Permanent Representative of Ireland to the United Nations

04-28490 (E) 260304

Annex to the letter dated 22 March 2004 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the agreement on a transitional Administrative Law in Iraq, issued on 19 March 2004 by the Presidency on behalf of the European Union

The European Union commends the consensus reached by the various parties in Iraq in signing the new transitional Administrative Law on 8 March. The European Union regards this as an encouraging development in the transition process and expresses the hope that it will lead to the restoration of a sovereign, independent, democratic and peaceful Iraq to the international community.

It is the strong desire of the European Union to see sovereignty restored in full to the Iraqi people. We will continue to support efforts aimed at achieving this goal. In particular, we fully support the work of the United Nations and welcome its continued involvement in the process.

The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the candidate countries Bulgaria and Romania, the countries of the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, and the EFTA countries, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

United Nations S/2004/249

Security Council

Distr.: General
25 March 2004

Original: English

Draft resolution

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular its resolution 1471 (2003) extending the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) through 27 March 2004,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Welcoming the Constitution adopted by the Loya Jirga on 4 January 2004 which reflects the determination of the Afghan people to ensure the transition of their country towards a stable and democratic State,

Recognizing that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country,

Reaffirming the Transitional Administration as the sole legitimate government of Afghanistan pending the democratic presidential and parliamentary elections envisioned in the Bonn Agreement as in the Afghan constitution,

Reiterating its strong support for the full implementation of the Bonn Agreement (S/2001/1154) and *supporting also* the objectives of the international conference scheduled to take place in Berlin from 31 March to 1 April 2004 to allow the Afghan authorities and the international community to reaffirm their long-term commitment to take the transitional process in Afghanistan forward, including by demonstrating support for the Afghan political process and its national security, as well as by confirming and generating international financial and other donations,

Recalling the importance of the coming elections to establish democratic Afghan authorities as a further step towards implementation of the Bonn Agreement and *welcoming* in that regard the creation of a Joint Electoral Management Body and the initial progress made in voter registration,

Recalling and emphasizing the importance of the Kabul Declaration of 22 December 2002 on Good-Neighbourly relations (S/2002/1416), and encouraging all States concerned to continue to follow up on the Kabul Declaration and the Declaration on Trade, Transit and Inward Investment signed in Dubai in September 2003,

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Stressing also the importance of extending central government authority to all parts of Afghanistan, of comprehensive nationwide disarmament, demobilization and reintegration of all armed factions, and of security sector reform including reconstitution of the new Afghan National Army and Afghan National Police,

Welcoming the visit of the Security Council Mission to Afghanistan in October-November 2003 and takes note of its report and recommendations,

1. *Decides* to extend UNAMA for an additional period of 12 months from the date of adoption of this resolution;

2. *Welcomes* the report of the Secretary-General of 23 March 2004 (S/2004/230) and the recommendations contained therein;

3. *Stresses* the importance of the provision of sufficient security and of significant donor support for the holding of credible national elections in accordance with the Afghan constitution and the Bonn Agreement and to this end *urges* member states and international organizations to coordinate closely with UNAMA and the Transitional Administration;

4. *Encourages* Afghan authorities to enable an electoral process that provides for voter participation that is representative of the national demographics including women and refugees and *calls upon* all eligible Afghans to fully participate in the registration and electoral processes;

5. *Encourages* UNAMA and the Afghan authorities, in this regard, to accelerate voter registration efforts in preparation for elections and urges close coordination between Afghan and UN authorities;

6. *Welcomes* the progress made since the commencement of the Disarmament, Demobilization and Reintegration (DDR) process in October 2003 and the contribution of the International Observer Group in this regard; *stresses* that efforts on the part of the Afghan Authorities and all Afghan parties, supported by the international community, to achieve further progress on DDR are critical, particularly for the creation of an environment more conducive to the conduct of free and fair elections; and in this regard, calls upon all Afghan parties to abide by commitments made in the Bonn Agreement including its Annex 1;

7. *Welcomes* the efforts to date of the Afghan authorities to implement their National Drug Control Strategy adopted in May 2003 and *urges* the Afghan authorities to make further efforts in that regard and Member States to support its implementation with the necessary resources;

8. *Stresses* that tackling the drugs trade cannot be separated from creating a strong economy and a secure environment in Afghanistan and cannot be achieved without increased cooperation among neighbouring states and countries along trafficking routes to strengthen anti-narcotic controls to curb the drug flow, and *notes* with concern in this regard the assessment made by UNODC in its last Afghan opium survey;

9. *Welcomes* the appointment of Jean Arnault as new Special Representative of the Secretary-General (SRSG) for Afghanistan; *reaffirms* its continued strong support for the SRSG and the concept of a fully integrated mission and *endorses* his full authority, in accordance with all relevant resolutions, over all United Nations activities in Afghanistan;

10. *Requests* UNAMA, with the support of the Office of the United Nations High Commissioner for Human Rights, to continue to assist the Afghan Independent Human Rights Commission in the full implementation of the human rights provisions of the new Afghan constitution, in particular those regarding the full enjoyment by women of their human rights; *requests* also that UNAMA support the establishment of a fair and transparent judicial system, and work towards the strengthening of the rule of law;

11. *Calls upon* all Afghan parties to cooperate with UNAMA in the implementation of its mandate and to ensure the security and freedom of movement of its staff throughout the country;

12. *Welcomes* the progress made by the International Security Assistance Force (ISAF), in expanding its presence outside of Kabul and in implementing its mandate in accordance with resolutions 1444 (2002) and 1510 (2003), requests that ISAF continue working in close consultation with the Secretary-General and his Special Representative; *calls upon* troop contributors to provide the necessary resources to ensure the full implementation of the mandate of ISAF;

13. *Welcomes* the development of the new Afghan National Army and Afghan National Police as important steps towards the goal of Afghan security forces providing security and ensuring the rule of law throughout the country, and *also welcomes* the readiness of ISAF to provide security assistance for the organization of the forthcoming elections in support of the Afghan authorities and UNAMA in accordance with resolution 1510;

14. *Requests* the Secretary-General to report to the Council in a timely manner on developments in Afghanistan, including, after elections, on the future role of UNAMA;

15. *Decides* to remain actively seized of the matter.

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Letter dated 25 March 2004 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I provide you with the following summary of Israeli violations and acts of aggression against Lebanon:

Violations of airspace

Between 0945 and 1015 hours on 13 March 2004, Israeli military aircraft overflew the occupied Shab`a Farms at very high altitude.

Between 1650 and 2220 hours on 14 March 2004, an Israeli reconnaissance aircraft flew north-east over the sea off Khaldah at a distance of 11 miles from the coast and circled over the sea between Beirut and Damur at a distance of 6 miles from the coast, thus violating Lebanese airspace.

Between 1715 and 1745 hours on the same day, two Israeli enemy helicopters overflew the occupied Shab`a Farms.

Between 1805 and 2100 hours on the same day, an Israeli reconnaissance aircraft flew over the sea off Tyre at a distance of 12 miles from the coast, heading towards Sidon, and circled over the sea between the Tyre and Sa`diyat areas at a distance of 6 miles from the coast, thus violating Lebanese airspace.

Between 1050 and 1100 hours on 15 March 2004, Israeli military aircraft overflew the occupied Shab`a Farms at very high altitude.

On the same day, between 1930 and 2215 hours, an Israeli reconnaissance aircraft overflew the sea off Sidon at a distance of 12 miles from the coast, heading towards Damur, and circled over the sea between Damur and Tyre at a distance of 7 miles from the coast, thus violating Lebanese airspace.

Between 2205 hours on 15 March and 0050 hours on 16 March 2004, an Israeli reconnaissance aircraft overflew the sea off Damur at a distance of 12 miles from the coast, heading in the direction of Beirut, and circled over the sea between Beirut and Sa`diyat at a distance of 7 miles from the coast, thus violating Lebanese airspace.

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Between 0800 and 1035 hours on 16 March 2004, Israeli military aircraft overflew the areas of Jazzin, Marj `Uyun and Hasbayya at very high altitude, thus violating Lebanese airspace.

Between 1710 and 1900 hours on the same day, two Israeli enemy helicopters overflew the occupied Shab`a Farms at very high altitude.

Between 1848 and 2134 hours on the same day, an Israeli reconnaissance aircraft overflew the sea west of Sidon at a distance of 12 miles from the coast, then circled between Damur and Sidon at a distance of 2 miles from the coast, thus violating Lebanese airspace.

Between 2053 hours on 16 March and 0035 hours on 17 March 2004, an Israeli reconnaissance aircraft overflew the sea opposite the Zahrani area at a distance of 12 miles from the coast, heading towards the Rumaylah area, then circled between Damur and Sidon, thus violating Lebanese airspace.

At 1847 hours on 17 March 2004, an Israeli reconnaissance aircraft overflew the South off Ra's Naqurah, thus violating Lebanese airspace.

Between 1900 and 1920 hours on the same day, two Israeli helicopters overflew the occupied territories opposite the towns of Kafr Killa and `Adaysah.

Between 2230 hours on 17 March and 0200 hours on 18 March 2004, an Israeli reconnaissance aircraft flew north over the sea opposite the Zahrani area at a distance of 12 miles from the coast, thus violating Lebanese airspace.

Between 0925 and 1050 hours on 18 March 2004, an Israeli reconnaissance aircraft flew east over the sea opposite the Zahrani area at a distance of 12 miles from the coast and circled over the shore and the mainland over Sidon, Tyre, Beirut and Damur, thus violating Lebanese airspace.

Violations of territorial waters

At 0535 hours on 12 March 2004, in the open sea off Ra's Naqurah, an Israeli military boat fired a number of rounds in the direction of the said waters.

Between 0245 and 0300 hours on 14 March 2004, in the open sea off Ra's Naqurah, an Israeli military boat fired two flare bombs over the said waters.

These grave violations are part of a continuous series of provocative Israeli violations of Lebanon's territorial waters, airspace and land in contravention of the principles of international law and the resolutions of international legitimacy, and the Secretary-General of the United Nations has repeatedly called for their cessation.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls upon the Security Council to deter Israel from such violations and threats, which place international peace and security in jeopardy. Israel must assume full responsibility for the repercussions and consequences of such acts.

In drawing your attention to the gravity and possible consequences of such acts of aggression, I request to have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(*Signed*) Sami **Kronfol**
Ambassador
Permanent Representative